UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/27
26 March 1992

ENGLISH
Original: SPANISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Second session
Geneva, 30 March - 10 April 1992
Item 5 of the provisional agenda

PROVISIONAL AGENDA FOR THE WORLD CONFERENCE AND RELATED DOCUMENTATION

Note verbale dated 20 March 1992 from the Permanent Mission of Ecuador to the United Nations Centre for Human Rights

The Permanent Mission of Ecuador to the United Nations Office at Geneva would be grateful if the Centre for Human Rights would arrange for the Mission's comments on the purposes, objectives and aims of the World Conference on Human Rights which is to be held in 1993 could be included among the working papers of the Preparatory Committee for the Conference.

GE.92-11861/3515H

PURPOSES, OBJECTIVES AND AIMS OF THE WORLD CONFERENCE ON HUMAN RIGHTS

Comments by the delegation of Ecuador

Introduction

1. As we approach the end of the second millennium, events marking the transition between two epochs are opening up new opportunities for the world's men and women to achieve a human destiny. Nineteen eighty-nine was par excellence the year that signalled the start of the new scenario. The demolition of the Berlin wall, the end of the ideological struggle, and what are becoming worldwide processes such as the spread of democracy are creating new possibilities for understanding, peace and progress.

2. But this whole promising mosaic of fresh prospects is overshadowed by the persistence of poverty, which has recrudesced in many areas, especially those that have been and are living through wasted decades and where outright social regress is occurring under the effect of resurgent nationalist extremism; of the intransigence and intolerance fostered by a world that is becoming increasingly one-dimensional, when the enrichment of life comes from diversity; of the crushing external debt which imposes financial cutbacks that are bleeding the third world white; of unfavourable terms of trade in countries that make their living from commodities; of grave and widening disparities in the level of scientific and technological development which is the key to power and modernization; of the dominating power of transnationalization, negating the principles of free competition, of which monopoly is the antithesis; of a growing protectionist trend that has nothing to do with liberalism; and, above all, of the tragic fact that the world is losing the ethical basis which is the essence and necessary condition of human development.

Objectives of the World Conference on Human Rights

3. The 1993 World Conference on Human Rights is par excellence the setting in which to find a comprehensive and integrated response that perceives development as human development, in which there must be a proper balance between the economic, social, cultural, civil and political activities and also a satisfactory dialogue between generations on the issue of the preservation of the environment, which is the womb of life.

4. The Conference will afford us the opportunity to contemplate the prospect of an UNCTAD remodelled in the spirit of Cartagena, a GATT on its way to becoming, with the creation of a Trade and Development Organization, the agency we have been waiting for since the 1948 Meeting in Havana, a World Bank and an International Monetary Fund characterized by increasingly democratic processes and no longer mere reflections of the power structure, a strengthened and updated United Nations system free from antagonisms and governed by creative consensus; in a word, a world of freedom and democracy. What must be done to achieve this human development?

5. The substantive elements that would open the way to human development and, consequently, to the full enjoyment of human rights would be the following: democracy, freedom, development ethics or the rule of principle, full exercise of the right to development, international strategy, planning, consensus in place of voting for the exercise of power, an Earth Charter to preserve the ecology, and a Solidarity and Development Charter. In short, a new world order based on international collaboration and cooperation for the full application of the principles and objectives that imbue the United Nations Charter and whose ultimate and primary justification resides in the comprehensive promotion of human rights as the essential basis for ensuring world peace.

Democracy

6. Democracy has gathered impetus by its defeat of totalitarianism and dictatorship. A worldwide democratic groundswell is giving new opportunities for more active and conscious participation by all human beings in shaping their destinies.

7. Nevertheless, in many areas formal democracy is not reflected in reality, since large sectors are marginalized by the prevalence of illiteracy, malnutrition, slums and shanty towns. If democracy is to be fully realized it is essential to wipe out the blots of underdevelopment, establishing a worldwide strategy to eliminate poverty from rich and poor regions and mobilize, motivate and organize the population for a worldwide awakening of consciousness to the fact that it is possible to conquer poverty and thereby allow the population, with that prospect, to assert its presence through active participation in government decision-making, which is the only way to ensure that a democratic system is fully operational. The master key might be a renewed and imaginative effort to make health and education the pivot of our concerns.

8. This creative effort must take account of the ethnic and racial diversity of peoples so that equal priority for attention can be given to all the nationalities and social and cultural strata within a population.

9. Freedom opens up undreamed of potentialities for the development of creative imagination and for promoting the diversity inherent in society and in life. Liberty is the highest expression of the dignity of the human individual, but its use and enjoyment depend to a great extent upon progress and well-being. Consequently, the challenge of creating optimum conditions of freedom is bedeviled by the cancer of poverty afflicting society.

10. It has been shown by a number of developing regions that, despite the serious economic difficulties they are facing, they have strengthened their democratic regimes and established political systems that have put human rights in the forefront of their concerns. This attitude must be supported and recognized by the international community so that the efforts and resources that have been channelled towards this undertaking are not brought to nothing by the disillusionment of societies that are equally in need of living conditions compatible with human dignity, for a state of abject poverty also constitutes a flagrant violation of human rights.

Development

11. Development ethics, or the rule of principles, is the beacon that shines to keep humanity from going off course; an excess of pragmatism is killing the utopian ideals which are our guide for attaining democracy and liberty with full respect for human rights.

12. The essence of all philosophies and religions lies in ethics, and neither history, nor philosophy, nor religion can die, for with them would perish humanity, left face-to-face with nothing but pragmatism and the profit motive and alienated from fellow-feeling.

13. It has been rediscovered that the market economy provides the best conditions for rational allocation of resources and for turning to optimum account the creative effort of labour. But the market economy is hamstrung by the lack of free competition, by the dominating power of the transnational enterprises, and because mastery of technology, which is the key to progress and modernization, is not democratically distributed. This is compounded by the existence of an international financial and monetary system which is closer to chaos than to contributing to development without inflation, which is why an end must be put to speculation, the prime cause of imbalance in the system. A sound and healthy international financial and monetary system must be based on the availability of liquidity to support the development of all peoples, through the creation of a world central bank where, as well as power, the world's trend to democracy can find expression.

14. An international development strategy is imperative as a frame of reference to keep us from losing our bearings; the planning of utopias is inherent in the human spirit; grand designs for the long term develop options for scientific and technological development and for the cultural sphere which give meaning to the evolution of humanity. World-wide harmony is a feasible aim only with appropriate strategies to involve all peoples in overcoming poverty, backwardness and stagnation. Only a world of solidarity and prosperity will be able to afford equal opportunities to all and relegate to the past the great disparities which impede the consolidation of peace and foment subversion.

15. Peace is the most important precondition for development; disarmament opens up undreamed of possibilities for development, releases energies and resources, gives meaning to solidarity, and strengthens creative imagination in the name not of destruction but of construction and preservation of life; peace is the most promising sign of our times.

16. Indicative planning for development does not conflict with the market but gives it direction and harmonizes the numerous options, creating, amid diversity and with deference to pluralism, bridges for rapprochement and understanding. It is a fallacy to oppose market to planning.

Environment

17. When we speak of the environment and development we do not just mean building bridges between the generations to preserve life; we mean that they are a strategic factor for reasserting the values of biodiversity, which are more important than those of the latest technology, since spaceships will probably be used to abandon our planet when we have destroyed it, whereas the values of biodiversity are those which will enable us to maintain life, the landscape, and the wonders of nature which, like those of culture, must become the heritage of mankind. The pioneer work of UNESCO must spread outwards to other spheres.

18. From this viewpoint, whatever commitments may be arrived at in Río de Janeiro will be decisive in the forging of a new relationship between man and his environment and, at the same time, for achieving a level of worldwide development compatible with human dignity.

Human rights

19. A necessary integrating and unifying thread in all the foregoing considerations is the concept of human rights, the essential basis for international relations, justice and worldwide peace. Disregard and contempt for those rights "have resulted in barbarous acts which have outraged the conscience of mankind", as stated in the second paragraph of the preamble to the Universal Declaration of Human Rights of 1948; for only their observance can secure a place for mankind's development - development that must take account of the whole nature of the human individual in his striving to attain ever-wider vistas of dignity, security and well-being.

20. Despite this, international society is still very far from achieving what is broadly enunciated in article 1 of the Universal Declaration of Human Rights, which considers all human beings as born free and equal in dignity and rights. How far, too, is the enjoyment of personal freedom from becoming a practical, living reality! For whatever efforts may be devoted to drafting new laws and international conventions, as long as poverty, marginalization and injustice exist, and until the distressing problems of the Third World are solved, we shall speak in vain of the fraternity and shared aspirations that imbue the United Nations Charter and the Covenants and Conventions which are the basis for international humanitarian action.

21. Democracy, freedom, development and human rights are no more than facets of the destiny of the human individual. When one of them is lacking mankind becomes warped and visionless.

22. It will therefore be the task of the World Conference to seek appropriate means for giving effect to human rights, whether those rights be called political or civil, economic, social or cultural, for they are all indivisible and interdependent, as recognized in the Declaration on the Right to Development. Nor could it be otherwise, since their sole and ultimate expression resides in the integrity and unity of the human person.

23. At this stage the doctrinal debate should be set aside and give place to the concrete propositions that feature in the Universal Declaration of Human Rights, the Declaration on the Right to Development and the International Covenant on Economic, Social and Cultural Rights. In them the scope for strengthening international cooperation is wide and not yet fully explored.

24. Such cooperation is necessary in so far as the full realization of human rights has an undeniable economic cost. Thus, the enjoyment of freedom of opinion will not be possible as long as the cultural possibility of self-expression does not exist, i.e. until illiteracy and the slavery of ignorance are banished for ever and full educational services are effectively available for the entire international community, especially the Third World societies, to enable them to face the challenges of the twenty-first century. Similar observations could be made regarding all the human rights and fundamental freedoms.

Mechanisms

25. The World Conference will have to consider the mechanisms by which to develop and consolidate a worldwide human rights culture that will take into account the increasing importance those rights are acquiring in international relations and in the solving of regional conflicts, enabling the world to progress to an era of understanding and dialogue in contrast to the era of rivalry and distrust.

26. Steps must therefore be taken to strengthen the role of the United Nations system in the promotion of human rights, conceived as the essential basis for the development of the individual and of peoples.

27. In this exercise a review will need to be made of the factors impeding adhesion by some States to the international covenants, conventions and instruments on human rights, so that their universal acceptance becomes possible, and a study made of the difficulties that may be met with in their concrete application.

28. To achieve this, the dissemination and promotion at various levels, domestic and international, of the principles and international legislation concerning human rights will be essential, in order that their purposes and content shall not only be known to States, but be demanded by peoples. In this task the role of the Centre for Human Rights is especially important. For their part, the non-governmental organizations could channel their resources towards this activity.

29. The work of the Commission on Human Rights and of its auxiliary mechanisms - working groups, rapporteurs on specific items, etc. - must be strengthened and even better guarantees provided of universality, objectivity and non-selectivity in the treatment of items. States must undertake to support, with their unreserved cooperation, the important functions carried out at that level.

30. The organs created by virtue of treaties must endeavour to continue the effort to rationalize their procedures and, in addition, should consider the possibility of going beyond the purely declaratory or formal aspects of their activities and approaching their work in such a way that, where the situation requires, they can offer appropriate international assistance and cooperation for obtaining compliance with the obligations contracted by States in subscribing or adhering to an international convention. Similarly, their recommendations for enhancing the application of the international standards will need to be followed up. The proposal put forward to establish a mechanism of this kind in the Committee against Torture is particularly interesting and could serve as a general frame of reference for the work of the other committees.

31. The institutional aspects are fundamental to social systems: they reflect the world power structure which combines national and transnational power in a chain linking the centre to the periphery. This institutional framework is being rapidly transformed by the processes of dismantling of bureaucracies and deregulation which have gathered impetus, so it is of very great interest to analyse these structures within the United Nations system in order to strengthen them and adapt them to major worldwide changes.

32. In this connection it is noteworthy that the commissions and committees involved in dealing with human rights have performed an outstanding role in evaluating the international covenants and conventions adhered to by States. This work has been of great importance for the positive development and putting into effect of human rights throughout the world; however, this activity often resembles that of a court passing judgement rather than of an institution to promote human rights. A balance might accordingly be achieved between these vital aspects, particularly the advisory function and the promotion of human rights, with the collaboration of the Centre for Human Rights and of independent experts, as also through the establishment of national or regional institutions for human rights, on the lines of the Latin American Association for Human Rights (ALDHU), based in Quito.

33. Coordination between the organizations and agencies of the United Nations system must be emphasized with a view to developing joint activities in the interests of respect for and promotion of human rights. In this regard the coordinating role of the Centre for Human Rights will have to be strengthened. To the extent possible, it would be desirable to consider holding joint meetings between United Nations agencies for the study on a continuing basis of new approaches for the development of joint activities.